

DETAILED ACTION

1. Claims 1-10 and 14-15 are currently pending in the instant application.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James P. Riek on December 10, 2008.

Claims:

Claim 4: Text line 2: DELETE the term "about"

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance: The closest prior art is WO 2002/26723, Ancliff et al. This reference encompasses the scope of the instant application because it contains an obvious variant, as detailed in the office action mailed September 4, 2008. However, both the instant application and Ancliff et al. are assigned to a common owner, Glaxo Group Limited, thus, disqualifying Ancliff et al. as are under 35 U.S.C. 103(c)(1). Additionally, since Ancliff et al. does not disclose by itself each element of the pending claims, the claims are both novel and non-obvious over Ancliff et al.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Claims 1-10 and 14-15 (renumbered 1-12) are allowed.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samantha Shterengarts whose telephone number is (571)270-5316. The examiner can normally be reached on Monday thru Thursday 9-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Joseph K. McKane can be reached on 571-272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Samantha L. Shterengarts/
Examiner, Art Unit 1626

/Kamal A Saced/
Primary Examiner, Art Unit 1626